

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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Docket No.: CV 08 3372 (LDW)

**LOCAL RULE 7.1 STATEMENT**

NICHOLAS GALLELLI, an infant, by and  
through his Parents and Natural Guardian,  
MARC GALLELLI and LINDA GALLELLI, and  
MARC GALLELLI and LINDA GALLELLI,  
Individually,

Plaintiffs,

- against -

CROWN IMPORTS, LLC, GRUPO MODELO,  
S.A. de C.V., aka G MODELO  
CORPORATION, BARTON BRANDS, LTD.,  
and BARTON BEERS, LTD.,

Defendants.

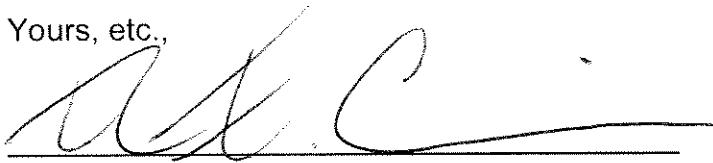
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Pursuant to Federal Rule 7.1 and Local Civil Rule 1.9 of the United States District Court for the Southern and Eastern Districts of New York, the undersigned, counsel for the defendants, CONSTELLATION SPIRITS INC. formerly known as BARTON BRANDS, LTD., and BARTON BEERS, LTD., hereby certifies that:

- (1) CONSTELLATION SPIRITS INC. formerly known as BARTON BRANDS, LTD. is a privately held, Delaware Corporation. Its parent company, Barton, Inc., is a wholly-owned subsidiary of Constellation Brands, Inc., a publicly traded company on the New York Stock Exchange.
- (2) BARTON BEERS, LTD. is also a privately held Delaware Corporation. Its parent company is also Barton, Inc., a wholly-owned subsidiary of Constellation Brands, Inc. which is a publicly traded company on the New York Stock Exchange.

Dated: White Plains, New York  
September 9, 2008

Yours, etc.,



Thomas F. Cerussi  
CERUSSI & SPRING  
Attorneys for Defendants  
CONSTELLATION SPIRITS INC. f/k/a  
BARTON BRANDS, LTD., and BARTON  
BEERS, LTD.  
One North Lexington Avenue  
White Plains, New York 10601-1700  
Tel. No. (914) 948-1200

TO: LAW OFFICES OF ROBERT F. DANZI  
Attorneys for Plaintiffs  
900 Merchants Concourse, Suite 214  
Westbury, New York 11590  
Tel. No. (516) 228-4226

AFFIDAVIT OF SERVICE BY FIRST CLASS MAIL

STATE OF NEW YORK                         )  
  ) ss.:  
COUNTY OF WESTCHESTER                     )

ELIZABETH FIGUEROA, being duly sworn, deposes and says that she is employed by Cerussi & Spring, attorneys for defendants, CONSTELLATION SPIRITS INC. formerly known as BARTON BRANDS, LTD., and BARTON BEERS, LTD., herein, is not a party to this action, is over 18 years of age, and resides in Mahopac, New York. That on the 9<sup>th</sup> day of September, 2008, I served the within:

**LOCAL RULE 7.1 STATEMENT**

by mailing a copy of same in a sealed envelope, with postage prepaid thereon, in an official depository of the U.S. Postal Service within the State of New York, addressed to:

LAW OFFICES OF ROBERT F. DANZI  
Attorneys for Plaintiffs  
900 Merchants Concourse, Suite 214  
Westbury, New York 11590  
Tel. No. (516) 228-4226



Elizabeth Figueroa  
\_\_\_\_\_  
ELIZABETH FIGUEROA

Sworn to before me on this  
9<sup>th</sup> day of September, 2008



Notary Public

THOMAS FRANCIS CERUSSI  
Notary Public, State of New York  
No. 02CE4971320  
Qualified in Westchester County  
Commission Expires August 27, 2010